

## **REMARKS/ARGUMENTS**

The present Amendment is responsive to the non-final Office Action mailed May 4, 2006, in the above-identified application.

New claims 21 and 22 are added. Therefore, claims 1-22 are the claims currently pending in the application.

Claims 1 and 19 are amended to clarify features recited thereby. The amendments to claim 1 are fully supported by applicant's disclosure, see for example, Specification, page 9, lines 9-21.

### ***New Attorney Docket Number***

A new attorney docket number is provided. The Examiner's cooperation is requested to make the required change for future Office correspondence.

### ***Rejection of Claim 19 under 35 U.S.C. § 112, First Paragraph***

Claim 19 is rejected under 35 U.S.C. § 112, first paragraph, for failing to comply with the enablement requirement.

Claim 19 is amended to clarify that the internet communication is between the central dispatching system and the customer. This amendment is fully supported by applicant's disclosure, see for example, Specification, page 8, lines 21-25; Fig.1.

### ***Rejection of Claims 17-20 under 35 U.S.C. § 112, Second Paragraph***

Claims 17-20 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite.

(i) With respect to claims 17 and 18, the Office Action fails to indicate in what way these claims are allegedly unclear. As explained, for example at page 8, lines 21-25, a customer requesting a pickup service may communicate with the automated dispatcher system 12 through a conventional telephone line 13 or via the Internet 14. Claim 17 thus is directed to a mode in which the customer using pre-installed software on his or her terminal or by logging on to the

automated dispatching system website is provided with drop down menus that provide a choice of options, including the type of car, trip rate calculations and cost information.

In a similar vein, a customer communicating with the automated dispatching system via a computer, that has used the service before (a repeat customer), is provided a menu of several destination addresses that were previously associated with the customer, from which the customer can now choose. Therefore, claims 17 and 18 are believed to meet the requirements of 35 U.S.C. § 112, second paragraph.

(ii) Claim 19 is amended as discussed in the foregoing rejection response, and is believed to satisfy the requirements of 35 U.S.C. § 112, second paragraph.

(iii) With respect to claim 20, the Examiner's attention is respectfully drawn to the Specification, page 6, lines 12-18, which describes that the automated dispatching system has links that are provided to the passenger or customer, which include options for entertainment plans, hotel reservations, accommodations, restaurant locations, local trips to museums or short excursions, as well as other relevant local information pertinent to the destination selected. Thus, claim 20 is directed to playing to the customer advertising messages by the automated dispatching system related to, for example, the destination selected. Therefore, claim 20 is believed to satisfy the requirements of 35 U.S.C. § 112, second paragraph.

***Rejection of Claims 1, 2, 4, 5, 10 and 11 under 35 U.S.C. § 102***

Claims 1, 2, 4, 5, 10 and 11 are rejected under 35 U.S.C. § 102(b) as being anticipated by Culbertson, US Patent No. 5,799,263. Reconsideration of this rejection is respectfully requested.

According to an aspect of applicant's claimed invention, a pickup and delivery vehicle, for example a taxi, is provided to a customer's pickup location, such that an automated dispatching system processes electronic information imbedded in an incoming telephone signal and identifies one or more candidate pickup sites or addresses based on the signal detected, and then issues instructions to a vehicle indicating the pickup site and the ultimate destination of the customer.

For at least the following reasons, the recitations of claim 1 are neither anticipated by nor obvious based on the cited art. By way of example, claim 1 requires issuing instructions to a vehicle to proceed to a determined pickup site and to deliver to the customer's ultimate destination.

Culbertson discloses a public transit system for dispatching public transit vehicles based on a cell or zone-based transit system (Culbertson, Abstract), according to which public transit vehicles with outbound routes always start at a centrally located terminal of a cell, and public transit vehicles with inbound routes terminate at the terminal of the cell (Culbertson, column 3, lines 18-23; and column 4, lines 47-55). Culbertson also discloses vehicles that provide intercell service: a passenger is picked up upon request and travels to the terminal or his or her cell, preferably a centrally located terminal of his or her cell, switches to a second vehicle which transports the passenger from the terminal of the first cell to the terminal of the second cell, and then switches to a third vehicle to arrive at the passenger's ultimate destination (Culbertson, column 6, lines 19-34).

Culbertson does not disclose or suggest issuing instructions to a vehicle to proceed to the determined pickup site and to deliver a customer to the customer's ultimate destination, as *inter alia*, required by independent claim 1. As discussed, Culbertson discloses a public transit system, in which outbound vehicles transport passengers from the central terminal of the cell, inbound vehicles transport passengers to the central terminal of the cell, and intercell vehicles transport passengers from the central terminal of one cell to the central terminal of a second cell. Thus, Culbertson does not disclose or suggest a vehicle that is instructed both to proceed to the pickup site indicated in an electronic indication in the calling signal and to deliver a customer to the customer's ultimate destination. Therefore, Culbertson does not disclose or suggest the recitations of independent claim 1.

Further, Culbertson teaches away from a system that provides pickup site-to-ultimate destination service, because Culbertson explains at some length that maintaining individual transportation vehicles produces excessive quantities of pollutants, which cause air pollution and generate used motor oil, entail additional cost, the additional risk of personal injury and the cost

of building and maintaining roads and highways (Culbertson, column 1, lines 11-49), and thus Culbertson discloses a public transit system with public transit vehicles (Culbertson, column 1, lines 50-65). Accordingly, it is respectfully submitted that the recitations of independent claim 1 would not have been obvious based on Culbertson.

Claims 2, 4, 5, 10 and 11 depend from claim 1 and thus incorporate novel and nonobvious features thereof. Therefore, claims 2, 4, 5, 10 and 11 are patentably distinguishable over the cited art for at least the same reasons.

***Rejection of Claims 9, 15-18 and 20 under 35 U.S.C. § 103***

Claims 9, 15-18 and 20 are rejected under 35 U.S.C. § 103(a) as being obvious based on Culbertson. Reconsideration of this rejection is respectfully requested.

The Office Action acknowledges with respect to claim 9 that Culbertson does not disclose providing monthly statements and account information to repeat customers electronically (Office Action, page 8), but Official Notice is taken that the concepts of electronic billing and payments are old and well known in the art and thus would have been obvious.

With respect to claims 15 and 16, the Office Action acknowledges that Culbertson does not disclose providing to customers ancillary data comprising entertainment information, accommodation information and/or transportation information about destination sites (Office Action, page 9), but states that Official Notice is taken that such ancillary information would have been well known.

With respect to claim 17, the Office Action acknowledges that Culbertson does not disclose enabling customers to communicate by computers that have drop down menus (Office Action, page 9), and with respect to claim 18, the Office Action acknowledges that Culbertson does not disclose or suggest providing to repeat customers a menu of a plurality of destination addresses (Office Action, page 10).

With respect to claim 20, the Office Action acknowledges that Culbertson does not disclose or suggest playing to customers advertising messages (Office Action, page 10), however,

the Office Action takes Official Notice that such a feature would have been well known in the art.

It is respectfully submitted that the Official Notices, even if properly taken, do not cure the deficiencies of Culbertson as they relate to the above-discussed features of claim 1. Therefore, since claims 9, 15-18 and 20 depend from claim 1, claims 9, 15-18 and 20 are patentably distinguishable over the cited art for at least the same reasons.

***Rejection of Claims 3, 12, 13 and 19 under 35 U.S.C. § 103***

Claims 3, 12, 13 and 19 are rejected under 35 U.S.C. § 103(a) as being obvious based on Culbertson in view of Ayed, US Patent No. 6,756,913. Reconsideration of this rejection is respectfully requested.

Ayed does not cure the above-discussed deficiencies of Culbertson as they relate to the above-noted features of claim 1. Further, the Examiner does not allege that Ayed discloses or suggests such features. Thus, Culbertson and Ayed, even taken together in combination, do not disclose or suggest the recitations of claim 1. Therefore, since claims 3, 12, 13 and 19 depend from claim 1, claims 3, 12, 13 and 19 are patentably distinguishable over the cited art for at least the same reasons.

***Rejection of Claims 6-8 and 14 under 35 U.S.C. § 103***

Claims 6-8 and 14 are rejected under 35 U.S.C. § 103(a) as being obvious based on Culbertson in view of Gaspard, US Patent No. 6,240,362. Reconsideration of this rejection is respectfully requested.

Gaspard does not cure the above-discussed deficiencies of Culbertson as they relate to the recitations of claim 1. Further, the Examiner does not allege that Gaspard discloses or suggests such features. Thus, Culbertson and Gaspard, even taken together in combination, do not disclose or suggest the recitations of claim 1. Therefore, since claims 6-8 and 14 depend from claim 1, claims 6-8 and 14 are patentably distinguishable over the cited art for at least the same reasons.

***New Claims***

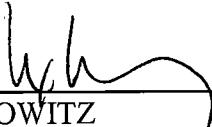
New claims 21 and 22 are added so as more fully to claim patentable aspects of applicant's invention. These new claims are fully supported by applicant's disclosure, see for example, Specification, page 5, lines 14-23. Claims 21 and 22 depend from claim 1 and are thus patentable over the cited for at least the same reasons as claim 1.

In view of the foregoing discussion, withdrawal of the rejections and allowance of the application are respectfully requested. Should the Examiner have any questions regarding the present Amendment, or regarding the application generally, the Examiner is invited to telephone the undersigned attorney at the below-provided telephone number.

Respectfully submitted,

THIS CORRESPONDENCE IS BEING  
SUBMITTED ELECTRONICALLY  
THROUGH THE PATENT AND  
TRADEMARK OFFICE EFS FILING  
SYSTEM ON November 6, 2006.

MM:GB:ns

  
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